

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

United States of America, )  
                              )  
                              )  
Plaintiff,               )                          Case No. 21-cr-00179-1-HFS  
                              )  
v.                         )  
                              )  
Derrick R. Ford,        )  
                              )  
Defendant.               )

ORDER

Defendant's motion to dismiss (Doc. 24) is hereby DENIED. The report and recommendation (Doc. 47) is ADOPTED. Supplementing the report I rely on United States v. Jackson, 2022 WL 4226229 (D. Minn.) and the views of five Justices in New York State Rifle & Pistol Ass'n , Inc. v. Bruen, 142 S.Ct. 211 (2022), represented by the concurrence. Defendant's argument that the opinion of the Court better represents the views of the Chief Justice and Justice Kavanaugh is unrealistic in that the apparent reason for the concurrence was to re- confirm the constitutionality of the prohibition of firearm possession by felons. While there is a serious question regarding the validity of the prohibition as applied to certain classes of felons, such as tax evaders, defendant does not contend he is in such a special protected class, and the bond report (Doc. 9) shows that he has no realistic claim to protected possession of firearms.

/s/ Howard F. Sachs  
Howard F. Sachs  
United States District Court Judge

November 29, 2022  
Kansas City, Missouri